

**ENTERED**

November 07, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

PEDRO R. CASTILLO JR.

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VS.

MISCELLANEOUS ACTION NO. M-10-31

RICK THALER,

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
AND GRANTING DISMISSAL**

The Court has reviewed the magistrate judge's Report and Recommendation regarding Petitioner Pedro R. Castillo, Jr.'s application to proceed in forma pauperis. After having reviewed the said Report and Recommendation, and no objections having been filed by either party, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, **ORDERED, ADJUDGED and DECREED** that the conclusions in United States Magistrate Judge Peter E. Ormsby's Report and Recommendation entered as Docket Entry No. 3 are hereby adopted by this Court.

FURTHER, the Court, having adopted the magistrate judge's conclusions, is of the opinion that Petitioner's application to proceed in forma pauperis should be **DENIED** and that this miscellaneous action should be **DISMISSED** without prejudice for failure to prosecute.

The Clerk shall send a copy of this Order to the Petitioner and counsel for Respondent.

SO ORDERED this 7th day of November, 2018, at McAllen, Texas.

  
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Randy Crane  
United States District Judge